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Financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994

Second performance report of the International Criminal Tribunal for Rwanda for the biennium 2004-2005

Report of the Secretary-General*

Summary

The second performance report of the International Criminal Tribunal for Rwanda for the biennium 2004-2005 is submitted pursuant to resolution 59/273 of 23 December 2004. The report reflects a decrease in requirements of $3,307,300 gross ($3,875,900 net) as compared with the revised appropriation for the biennium 2004-2005. The reduction in requirements includes changes with respect to the combined effect of exchange rates and inflation ($1,285,100 gross ($1,088,000 net)) and decreases in post incumbency and other changes ($4,592,400 gross ($4,963,900 net)).

The General Assembly is requested to revise the appropriation for 2004-2005 to $252,602,200 gross ($227,630,600 net) for the Special Account for the International Criminal Tribunal for Rwanda.

* The report is being issued at the present time in order to reflect the latest data available following intensive consultations.

05-62482 (E) 071205

I. Introduction

1. The purpose of the second performance report on the budget for the International Criminal Tribunal for Rwanda is to provide an estimate of the final level of resources required for the biennium. The estimate is based on actual expenditures for the first 20 months of the biennium, projected requirements for the last four months and changes in inflation and exchange rates and cost-of-living adjustments as compared with the assumption made in the first performance report (A/59/549), which was reviewed by the General Assembly at its fifty-ninth session and which formed the basis for the revised appropriation for the biennium 2004-2005.

2. The activities of the Tribunal are predominantly trial based, and most of the requirements are therefore linked to the pace of trial activities. However, owing to the slower than anticipated pace of trial activities in the biennium 2004-2005, various objects of expenditure reflect a lower than anticipated level of requirements.

II. Explanation of the changes in net expenditure requirements

3. The estimates proposed in the present report reflect a decrease of $3,307,300 gross ($3,875,900 net) as compared with the revised appropriation approved by the General Assembly in its resolution 59/273 of 23 December 2004. The distribution of the projected changes and the proposed final appropriation for the International Criminal Tribunal for Rwanda for the biennium 2004-2005 are set out in tables 1 and 2.

Table 1
Estimated final requirements by component and main determining factor
(Thousands of United States dollars)

		Projected changes				
Component	*Revised 2004-2005 appropriation*	*Rate of exchange*	*Inflation*	*Post incumbency and other changes*	*Total*	*Proposed 2004-2005 final appropriation*
Expenditure						
Chambers	9 657.1	(26.1)	(4.2)	(1 140.1)	(1 170.4)	8 486.7
Office of the Prosecutor	70 212.3	86.9	534.2	(7 097.3)	(6 476.2)	63 736.1
Registry	176 040.1	(928.5)	1 622.8	3 645.0	4 339.3	180 379.4
Total expenditure (gross)	**255 909.5**	**(867.7)**	**2 152.8**	**(4 592.4)**	**(3 307.3)**	**252 602.2**
Income						
Staff assessment	24 403.0	(17.5)	214.6	371.5	568.6	24 971.6
Total requirements (net)	**231 506.5**	**(850.2)**	**1 938.2**	**(4 963.9)**	**(3 875.9)**	**227 630.6**

Table 2
Projected expenditures by object of expenditure and main determining factor
(Thousands of United States dollars)

Object of expenditure	*Revised 2004-2005 appropriation*	*Projected changes*				*Proposed 2004-2005 final appropriation*
		Rate of exchange	*Inflation*	*Post incumbency and other changes*	*Total*	
Expenditure						
Posts	171 214.0	(355.2)	2 044.4	(6 932.2)	(5 243.0)	165 971.0
Other staff costs	4 325.6	(43.1)	(15.4)	698.1	639.6	4 965.2
Salaries and allowances of judges	9 135.1	(26.1)	(9.4)	(998.4)	(1 033.9)	8 101.2
Consultants and experts	609.0	0.4	2.7	—	3.1	612.1
Travel of representatives	522.0	—	5.2	(141.7)	(136.5)	385.5
Travel	5 410.7	—	58.9	—	58.9	5 469.6
Contractual services	21 000.4	(234.4)	(83.6)	1 530.1	1 212.1	22 212.5
General operating expenses	11 133.9	(110.8)	(35.9)	(395.6)	(542.3)	10 591.6
Hospitality	6.4	—	—	—	—	6.4
Supplies and materials	2 666.5	(32.6)	(11.5)	—	(44.1)	2 622.4
Furniture and equipment	3 598.3	(46.8)	(16.7)	—	(63.5)	3 534.8
Improvement of premises	454.3	(1.6)	(0.5)	299.8	297.7	752.0
Grants and contributions	1 430.3	—	—	976.0	976.0	2 406.3
Staff assessment	24 403.0	(17.5)	214.6	371.5	568.6	24 971.6
Total expenditure (gross)	**255 909.5**	**(867.7)**	**2 152.8**	**(4 592.4)**	**(3 307.3)**	**252 602.2**
Income						
Staff assessment	24 403.0	(17.5)	214.6	371.5	568.6	24 971.6
Total requirements (net)	**231 506.5**	**(850.2)**	**1 938.2**	**(4 963.9)**	**(3 875.9)**	**227 630.6**

A. Variations in budgetary assumptions

Rates of exchange and inflation (increase: $1,285,100)

4. The increase in this category is attributable to the impact of changes in inflation ($2,152,800), offset by the favourable rate of exchange ($867,700) of the United States dollar, primarily against the Tanzanian shilling and the Rwanda franc, during the period from January to November 2005 and the application of the November exchange rate for December 2005. With regard to inflation, the adjustments are based on the latest information available on consumer price indices as well as adjustments resulting from differences in actual post adjustment indices for staff in the Professional category and above and actual cost-of-living adjustments of salary scales for staff in the General Service and related categories compared with the assumptions made in the revised appropriations.

B. Other requirements

Chambers

Table 3
Projected expenditures by object of expenditure and main determining factor
(Thousands of United States dollars)

		Projected changes				
Object of expenditure	*Revised 2004-2005 appropriation*	*Rate of exchange*	*Inflation*	*Post incumbency and other changes*	*Total*	*Proposed 2004-2005 final appropriation*
Salaries and allowances of judges	9 135.1	(26.1)	(9.4)	(998.4)	(1 033.9)	8 101.2
Travel of representatives	522.0	—	5.2	(141.7)	(136.5)	385.5
Total requirements	**9 657.1**	**(26.1)**	**(4.2)**	**(1 140.1)**	**(1 170.4)**	**8 486.7**

Salaries and allowances of judges (decrease: $998,400)

5. The decreased requirements under this heading are attributable mainly to lower actual requirements under common staff costs arising from a lower than anticipated number of dependants per judge, which resulted in reductions in the amount of $789,500 as well as reductions in the amount of $410,500 under honorariums, owing to: (a) delays in the appointment of five additional ad litem judges during 2004 and (b) a gap of approximately two months between the departure of one judge and his replacement. Those decreases are partially offset by additional requirements for salaries of judges ($201,600) resulting from the decision of the General Assembly in its resolution 59/282 to increase the annual salary of judges and ad litem judges of the Tribunals by 6.3 per cent effective 1 January 2005.

Travel of representatives (decrease: $141,700)

6. The reduction in travel requirements can be attributed to measures, including videoconference links between Arusha and The Hague, which have resulted in decreased requirements for travel of judges to attend meetings with judges of the International Tribunal for the Former Yugoslavia. In addition, the decreased requirements reflect the decision taken by the President to travel unaccompanied.

Office of the Prosecutor

Table 4
Projected expenditures by object of expenditure and main determining factor
(Thousands of United States dollars)

		Projected changes				
Object of expenditure	*Revised 2004-2005 appropriation*	*Rate of exchange*	*Inflation*	*Post incumbency and other changes*	*Total*	*Proposed 2004-2005 final appropriation*
Expenditure						
Posts	57 839.3	73.2	416.8	(6 741.7)	(6 251.7)	51 587.6
Consultants and experts	388.6	3.9	3.9	—	7.8	396.4
Travel	3 284.9	—	34.8	—	34.8	3 319.7
General operating expenses	334.0	7.0	6.2	(10.9)	2.3	336.3
Staff assessment	8 365.5	2.8	72.5	(344.7)	(269.4)	8 096.1
Total expenditure (gross)	**70 212.3**	**86.9**	**534.2**	**(7 097.3)**	**(6 476.2)**	**63 736.1**
Income						
Staff assessment	8 365.5	2.8	72.5	(344.7)	(269.4)	8 096.1
Total requirements (net)	**61 846.8**	**84.1**	**461.7**	**(6 752.6)**	**(6 206.8)**	**55 640.0**

Posts (decrease: $6,741,700)

7. The decrease under this heading is caused by the combined effect of reductions in salaries ($1,215,300) and common staff costs ($5,526,400). Consistently higher than standard vacancy rates have been experienced by the Office of the Prosecutor during the biennium 2004-2005. During 2004, the average vacancy rates were 19.2 per cent for Professional posts and 9.9 per cent for General Service posts, compared with the budgetary assumptions of 15.1 per cent and 8.9 per cent respectively. During the period from January to August 2005, average vacancy rates were 22.1 per cent for Professional posts and 16.9 per cent for General Service posts. At the time of the preparation of the present report, a total of 37 posts (33 Professional and 4 General Service) remained unencumbered, reflecting actual vacancy rates of 17.2 per cent and 8.3 per cent for Professional and General Service posts respectively. Furthermore, the reductions under common staff costs reflect both the realized vacancy rates described above and the lower than budgeted actual rate of common staff costs ($5,526,400).

8. Provisions under staff assessment amount to $8,096,100, reflecting a net decrease of $269,400, which is offset under income from staff assessment.

Registry

Table 5
Projected expenditures by object of expenditure and main determining factor
(Thousands of United States dollars)

Object of expenditure	*Revised 2004-2005 appropriation*	*Projected changes*				*Proposed 2004-2005 final appropriation*
		Rate of exchange	*Inflation*	*Post incumbency and other changes*	*Total*	
Expenditure						
Posts	113 374.7	(428.4)	1 627.6	(190.5)	1 008.7	114 383.4
Other staff costs	4 325.6	(43.1)	(15.4)	698.1	639.6	4 965.2
Consultants and experts	220.4	(3.5)	(1.2)	—	(4.7)	215.7
Travel	2 125.8	—	24.1	—	24.1	2 149.9
Contractual services	21 000.4	(234.4)	(83.6)	1 530.1	1 212.1	22 212.5
General operating expenses	10 799.9	(117.8)	(42.1)	(384.7)	(544.6)	10 255.3
Hospitality	6.4	—	—	—	—	6.4
Supplies and materials	2 666.5	(32.6)	(11.5)	—	(44.1)	2 622.4
Furniture and equipment	3 598.3	(46.8)	(16.7)	—	(63.5)	3 534.8
Improvement of premises	454.3	(1.6)	(0.5)	299.8	297.7	752.0
Grants and contributions	1 430.3	—	—	976.0	976.0	2 406.3
Staff assessment	16 037.5	(20.3)	142.1	716.2	838.0	16 875.5
Total expenditure (gross)	**176 040.1**	**(928.5)**	**1 622.8**	**3 645.0**	**4 339.3**	**180 379.4**
Income						
Staff assessment	16 037.5	(20.3)	142.1	716.2	838.0	16 875.5
Total requirements (net)	**160 002.6**	**(908.2)**	**1 480.7**	**2 928.8**	**3 501.3**	**163 503.9**

Posts (decrease: $190,500)

9. The decrease under this heading is attributable to reduced requirements under common staff costs arising from lower actual common staff costs than projected ($2,795,700) offset by increased requirements under salaries ($2,605,200) owing to the lower than budgeted vacancy rate realized for the Professional category. The budgetary assumptions included a vacancy rate of 15.1 per cent for the Professional category and above and 8.9 per cent for the General Service and related categories. During 2004, the average vacancy rates experienced by the Registry were 12.2 per cent for the Professional category and 9.1 per cent for General Service category. For the period from January to August 2005, the average vacancy rates were 11.7 per cent for the Professional category and 9.5 per cent for the General Service category, resulting in increased requirements under this heading. At the time of the preparation of the present report, a total of 67 posts (22 Professional and 45 General Service) remained unencumbered, reflecting actual vacancy rates of 9.9 per cent for Professional posts and 7.8 per cent for General Service posts.

10. Provisions under staff assessment amount to $16,875,500, reflecting a net increase of $838,000, which is offset under income from staff assessment.

Other staff costs (increase: $698,100)

11. The increase in requirements is attributed to general temporary assistance with respect to additional support provided in respect of core judicial and legal activities, including language assistance provided to the Investigations and Prosecution Division of the Office of the Prosecutor; secretarial assistance provided to the judges; court reporters for the Court Management Section; transcript redactors and witness support assistants for the Witnesses and Victims Support Section; and library assistants for the Legal Library and Reference Unit ($498,100). The increased requirements also reflect the establishment of 32 additional General Service (Local level) positions required for strengthening the security and safety of the Tribunal's staff and premises ($200,000). It is recalled that the General Assembly, in its resolution 58/295, endorsed the recommendations of the Advisory Committee on Administrative and Budgetary Questions, including its recommendation that the requested provision for general temporary assistance be accommodated within the budget of the Tribunal and included in the performance report (A/58/758, para. 18).

Contractual services (increase: $1,530,100)

12. The net increase in resources primarily reflects additional requirements for defence counsel fees ($1,492,300) owing to the higher than estimated number of hours to be booked for the pre-trial and trial stages required in some of the multiple-accused cases. The increase also relates to higher than estimated external audit costs ($75,300) partially offset by decreased requirements under other contractual services ($37,500), including Internet services, medical consultants and contractual security services.

General operating expenses (decrease: $384,700)

13. The net decrease in resource requirements in this category results mainly from reductions under communication costs ($295,100) arising from cost-efficiency measures implemented by the Tribunal during the biennium 2004-2005, including streamlining of telephone and telecommunications usage and the introduction of an electronic telephone billing system. The decreased requirements also reflect lower than projected requirements under: (a) rental and maintenance of premises ($56,000); (b) miscellaneous services ($5,400); (c) freight-related costs ($36,500); and (d) third-party liability insurance ($16,300). The decrease is offset by increased requirements under rental and operation of a fixed-wing aircraft related to higher landing fees and ground handling charges at both the Kigali and Arusha airports ($18,700), utilities ($1,400), maintenance of furniture and equipment ($800) and bank charges ($3,700).

Improvement of premises (increase: $299,800)

14. The increase relates primarily to the implementation of projects for enhancing security arrangements at Tribunal headquarters and the United Nations Detention Facility. These projects include: (a) construction of concrete stubs, which are being installed along the perimeter fence of the Detention Facility to prevent direct

penetration by vehicles into the compound; (b) construction of high-speed bumps to deter any vehicular suicide attack along the main entrance to the Facility; (c) upgrading of the Arusha International Conference Centre to include the construction of concrete stub columns, the erection of barriers and motorized steel gates and the construction of speed bumps at main entry points, together with heightening of the main concrete wall along the main boulevard entrance; and (d) installation of a closed-circuit television surveillance system at headquarters. It is recalled that the General Assembly, in its resolution 58/295, endorsed the recommendations of the Advisory Committee on Administrative and Budgetary Questions with respect to strengthening the security and safety of United Nations operations, staff and premises. The Committee had recommended that the provision for alteration and improvement of existing premises and security structures for the Tribunal be accommodated within the budget of the Tribunal and included in the performance report (A/58/758, para. 28).

Grants and contributions (increase: $976,000)

15. The increase relates primarily to increased requirements for the coordination of United Nations security measures, including charges for malicious act insurance ($1,146,000). The increase is partially offset by reduced requirements ($170,000) for the operations of the United Nations medical clinic at Kigali following the downsizing of the Kigali office.

III. Conclusion

16. **The General Assembly is requested to take note of the present report and to approve the revised appropriation for the biennium 2004-2005 of $252,602,200 gross ($227,630,600 net) for the Special Account for the International Criminal Tribunal for Rwanda.**

Annex I

Budgetary assumptions

The following parameters were used in formulating the present proposed estimates for the final appropriation:

	Duty station											
	The Hague (euro to US$ 1)				*Arusha (Tanzania shilling to US$ 1)*				*Kigali (Rwanda franc to US$ 1)*			
	Estimates used for the revised appropriation		*Proposed estimates for the final appropriation*		*Estimates used for the revised appropriation*		*Proposed estimates for the final appropriation*		*Estimates used for the revised appropriation*		*Proposed estimates for the final appropriation*	
Budget parameters	*2004*	*2005*	*2004*	*2005*	*2004*	*2005*	*2004*	*2005*	*2004*	*2005*	*2004*	*2005*
Rate of exchange	0.82	0.82	0.81	0.80	1 094.38	1 094.38	1 093.46	1 117.83	575.92	575.92	574.43	558.00
Inflation rate (percentage)	1.4	1.5	1.2	1.6	9.8	4.4	5.4	4.0	10.9	7.0	9.5	9.0
Post adjustment multiplier (percentage)	44.3	45.0	45.4	46.3	30.8	35.3	30.8	35.9	30.7	36.7	30.8	35.4

Annex II

Trial activities during 2004-2005

1. From 1 July 2004 to 30 June 2005, trial chambers of the International Criminal Tribunal for Rwanda delivered three trial judgements involving three accused (Ndindabahizi, Rutaganira and Muhimana) and commenced five trials involving seven accused.

2. On 15 July 2004, Emmanuel Ndindabahizi, a former Minister of Finance, was unanimously convicted of genocide and crimes against humanity (extermination and murder) and sentenced to imprisonment for the remainder of his life. This trial lasted for 29 days and judgement was rendered ten and a half months after its commencement.

3. On 8 December 2004, Vincent Rutaganira, a *conseiller*, pleaded guilty to crimes against humanity (extermination). The Chamber accepted his guilty plea and on 14 March 2005 sentenced the accused to six years' imprisonment.

4. On 28 April 2005, Mikaeli Muhimana, a *conseiller*, was convicted of genocide and crimes against humanity (murder and rape) and sentenced to imprisonment for the remainder of his life. The trial in this case, which commenced on 29 March 2004, closed on 20 January 2005, following 34 trial days.

5. Consequently, 19 judgements involving 25 accused have been delivered since the first trial commenced in January 1997. This brings the total number of persons whose trials have either been completed or are in progress to 50.

6. In addition to the 25 accused whose trials were completed in this period, 25 detainees in the United Nations Detention Facility in Arusha were involved in nine trials. Five of those trials were multiple-accused cases: the Butare case (six accused), the Military I case (four accused), the Government case (four accused), the Military II case (four accused) and the Karemera et al. case (three accused). Four single-accused cases also commenced during this period (the Seromba, Simba, Muvunyi, Rwamakuba and Rutaganira cases). Judgement in the latter case was rendered on 14 March 2005 and judgement in the Simba case is expected later this year.

7. Sixteen detainees were awaiting the commencement of their trials as at 30 June 2005. Their trials will commence as soon as courtroom capacity allows. Fourteen indictees remained at large, with indictments against eight remaining suspects being submitted for confirmation during the same period.

8. A fourth courtroom was inaugurated on 1 March 2005, financed through voluntary contributions. As was the case previously, only three courtrooms were available for nine ongoing trials; this additional courtroom has facilitated steady progress in all ongoing cases and is an important element of the Tribunal's completion strategy.

9. The same period saw a significant increase in the workload of the Appeals Chamber. The Appeals Chamber delivered four judgements on appeals on the merits in respect of five persons between 1 July 2004 and 30 June 2005 (the Niyitegeka, Ntakirutimana, Semanza and Kajelijeli judgements). Appeals of trial judgements in a further six cases (involving 10 convicted persons), 28 interlocutory appeals and

one application for review of a trial judgement were also received by the Appeals Chamber during this period.

10. The Office of the Prosecutor, having reduced the number of future investigative targets to 26 in the period 2003-2004, further reduced them to 16 in 2004-2005. This reduction was done on the basis of a further review of the Office of the Prosecutor cases in December 2003 and February 2004, which indicated that, owing to the lack of sufficient evidence implicating them in criminal conduct, some of the targets would not be pursued further. The Prosecutor completed the investigation of the 16 targets by the end of 2004. During 2005, the Prosecutor indicted eight targets as a result of those investigations. There was insufficient evidence to implicate the other eight targets, and they were therefore not indicted. Out of the 40 suspects whose cases he identified for deferral to national jurisdictions for trial, the Prosecutor has transferred to the Government of Rwanda 25 dossiers of partly investigated cases of suspects who have not been indicted by the Tribunal. He intends to transfer 10 additional dossiers to the Government before the end of 2005. During the period 2004-2005, the Office of the Prosecutor presented the following trials/cases to the various trial chambers: Butare (six accused, ongoing), Military I (four accused, ongoing), Government II (four accused, ongoing), Government I (four accused, nullified in September 2004 and resumed in October 2005 as Karemera with three accused; now ongoing), Military II (four accused, ongoing), Gacumbitsi (one accused, completed), Ndindabahizi (one accused, completed), Muhimana (one accused, completed), Rutaganira (one accused, completed), Seromba (one accused, ongoing), Simba (one accused, awaiting judgement), Rwamakuba (one accused, ongoing), Mpambara (one accused, ongoing) and Zigiranyirazo (one accused, ongoing).

11. To date, the Tribunal has concluded agreements with six countries on enforcement of the sentences of the Tribunal. Three of them were concluded with African countries (Benin, Mali and Swaziland) and the other three with European countries (France, Italy and Sweden). Negotiations are under way with other States to secure similar agreements.

Annex III

Voluntary contributions and trust fund activities

1. The General Assembly, in its resolution 49/251 of 20 July 1995, invited Member States and other interested parties to make voluntary contributions to the Tribunal both in cash and in the form of services and supplies acceptable to the Secretary-General.

2. To date, cash contributions to the Voluntary Fund to support the activities of the International Criminal Tribunal for Rwanda amount to $10,230,665. The details are provided in the table below.

Cash contributions to the Voluntary Fund as at 31 October 2005

(United States dollars)

Contributor	*Total amount*
Belgium	2 705 450
Canada	734 850
Chile	1 000
Czech Republic	20 000
Denmark	43 452
Egypt	11 000
Finland	550 560
Greece	20 000
Ireland	237 704
Israel	7 500
Lebanon	3 000
Netherlands	2 995 531
New Zealand	34 792
Norway	349 983
Spain	150 000
Sweden	68 729
Switzerland	188 025
United Kingdom of Great Britain and Northern Ireland	572 000
United States of America	356 000
Holy See	3 000
European Community	1 107 370
Ford Foundation	20 000
Law Foundation of Toronto	10 719
Open Society Institute	40 000
Total	**10 230 665**

3. Projected expenditures for the biennium 2004-2005 are set out in the table below. The variance between the initial and revised estimates is due to the lower rate of implementation with regards to the outreach programme. The overall level of resources of the Fund as at 31 October 2005 was $2,741,100.

Projected expenditures by object of expenditure

(Thousands of United States dollars)

Object of expenditure	*2004-2005 estimate*	*2004-2005 revised estimate*	*Increase (decrease)*
Posts	—	—	—
Other staff costs	424.8	546.2	121.4
Consultants and experts	161.0	131.3	(29.7)
Travel	398.3	370.6	(27.7)
Contractual services	579.7	482.9	(96.8)
General operating expenses	44.7	54.0	9.3
Supplies and materials	290.4	261.4	(29.0)
Furniture and equipment	327.3	153.0	(174.3)
Improvement of premises	179.3	179.3	—
Fellowships, grants and contributions	436.4	434.9	(1.5)
Other	84.2	82.9	(1.3)
Total	**2 926.1**	**2 696.5**	**(229.6)**

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Financing of the United Nations Organization Mission in the Democratic Republic of the Congo

Report of the Fifth Committee

Rapporteur: Ms. Katja **Pehrman** (Finland)

I. Introduction

1. At its 17th plenary meeting, on 20 September 2005, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its sixtieth session the item entitled "Financing of the United Nations Organization Mission in the Democratic Republic of the Congo" and to allocate it to the Fifth Committee.

2. The Fifth Committee considered the item at its 24th and 27th meetings, on 18 November and 1 December 2005. Statements and observations made in the course of the Committee's consideration of the item are reflected in the relevant summary records (A/C.5/60/SR.24 and 27).

3. For its consideration of the item, the Committee had before it the following documents:

(a) Report of the Secretary-General on the financial performance of the United Nations Organization Mission in the Democratic Republic of the Congo for the period from 1 July 2003 to 30 June 2004 (A/59/657);

(b) Report of the Secretary-General on the budget for the United Nations Organization Mission in the Democratic Republic of the Congo for the period from 1 July 2005 to 30 June 2006 (A/60/389);

(c) Report of the Advisory Committee on Administrative and Budgetary Questions (A/60/536).

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II. Consideration of draft resolution A/C.5/60/L.8

4. At its 27th meeting, on 1 December, the Committee had before it a draft resolution entitled "Financing of the United Nations Organization Mission in the Democratic Republic of the Congo" (A/C.5/60/L.8), submitted by the representative of Bangladesh, Vice-Chairman of the Committee, on the basis of informal consultations.

5. At the same meeting, the Committee adopted draft resolution A/C.5/60/L.8 without a vote (see para. 6).

III. Recommendation of the Fifth Committee

6. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolution:

Financing of the United Nations Organization Mission in the Democratic Republic of the Congo

The General Assembly,

Having considered the reports of the Secretary-General on the financing of the United Nations Organization Mission in the Democratic Republic of the Congo[1] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[2]

Recalling Security Council resolutions 1258 (1999) of 6 August 1999 and 1279 (1999) of 30 November 1999 regarding, respectively, the deployment to the Congo region of military liaison personnel and the establishment of the United Nations Organization Mission in the Democratic Republic of the Congo, and the subsequent resolutions by which the Council extended the mandate of the Mission, the latest of which was resolution 1635 (2005) of 28 October 2005,

Recalling also its resolution 54/260 A of 7 April 2000 on the financing of the Mission, and its subsequent resolutions thereon, the latest of which was resolution 59/285 B of 22 June 2005,

Reaffirming the general principles underlying the financing of United Nations peacekeeping operations, as stated in General Assembly resolutions 1874 (S-IV) of 27 June 1963, 3101 (XXVIII) of 11 December 1973 and 55/235 of 23 December 2000,

Noting with appreciation that voluntary contributions have been made to the Mission,

Mindful of the fact that it is essential to provide the Mission with the necessary financial resources to enable it to fulfil its responsibilities under the relevant resolutions of the Security Council,

1. *Requests* the Secretary-General to entrust the Head of the Mission with the task of formulating future budget proposals in full accordance with the provisions of General Assembly resolution 59/296 of 22 June 2005, as well as other relevant resolutions;

2. *Takes note* of the status of contributions to the United Nations Organization Mission in the Democratic Republic of the Congo as at 31 October 2005, including the contributions outstanding in the amount of 220.9 million United States dollars, representing some 7.8 per cent of the total assessed contributions, notes with concern that only forty Member States have paid their assessed contributions in full, and urges all other Member States, in particular those in arrears, to ensure payment of their outstanding assessed contributions;

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[1] A/59/657 and A/60/389.

[2] A/60/536.

3. *Expresses its appreciation* to those Member States which have paid their assessed contributions in full, and urges all other Member States to make every possible effort to ensure payment of their assessed contributions to the Mission in full;

4. *Expresses concern* at the financial situation with regard to peacekeeping activities, in particular as regards the reimbursements to troop contributors that bear additional burdens owing to overdue payments by Member States of their assessments;

5. *Also expresses concern* at the delay experienced by the Secretary-General in deploying and providing adequate resources to some recent peacekeeping missions, in particular those in Africa;

6. *Emphasizes* that all future and existing peacekeeping missions shall be given equal and non-discriminatory treatment in respect of financial and administrative arrangements;

7. *Also emphasizes* that all peacekeeping missions shall be provided with adequate resources for the effective and efficient discharge of their respective mandates;

8. *Expresses its deep concern* at the very high rate of attrition and related difficulties in recruitment, and requests the Secretary-General to intensify his ongoing efforts to rectify this situation, including through innovative approaches, and to ensure the expeditious filling of all vacant posts;

9. *Reiterates its request* to the Secretary-General to make the fullest possible use of facilities and equipment at the United Nations Logistics Base at Brindisi, Italy, in order to minimize the costs of procurement for the Mission;

10. *Welcomes* the establishment and development of the Entebbe logistical base as a regional hub for common use by missions in the region to enhance the efficiency and responsiveness of logistical support operations, and requests the Secretary-General to report to the General Assembly in the context of his overview report, to be submitted during the second part of its resumed sixty-first session, on economies and efficiencies realized through its utilization and on the increased effectiveness of regional support for peacekeeping operations;

11. *Also welcomes* the measures put in place in the Mission for the prevention and identification of and responses to instances of misconduct by its personnel, and encourages the Secretary-General to intensify his efforts to ensure compliance by all personnel with the zero-tolerance policy and procedures in accordance with the relevant General Assembly resolutions;

12. *Emphasizes* that the Special Representative of the Secretary-General should be responsible for the implementation of the policies of the Organization regarding personnel conduct, and requests the Secretary-General to ensure that the Special Representative remains fully engaged in all such matters;

13. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions,[2] subject to the provisions of the present resolution, and requests the Secretary-General to ensure their full implementation;

14. *Recalls* its previous requests for a review of the structure of the Mission, and, noting with concern that the review has not been completed, requests the Secretary-General to ensure that the review is finalized as a matter of urgency and that its conclusions and recommendations are reflected in the budget submission for the Mission for the 2006/07 period;

15. *Reaffirms* the critical role of the Mission, including in public information, in the preparation and conduct of the referendum and elections, and requests the Secretary-General, when preparing the budget proposals for 2006/07, to also take into account all previous relevant resolutions of the General Assembly and to ensure that resource requirements reflect any revisions in the mandate of the Mission that may arise due to developments in the post-election period, including all those personnel, support and operational components that are directly related to election activities;

16. *Stresses* the imperative nature of the successful conduct of electoral operations, and authorizes the full deployment of 507 additional personnel in support of the elections while making best use of existing staffing resources, bearing in mind the need to ensure that the deployment schedule responds to developments on the ground;

17. *Authorizes* the Secretary-General to utilize until 30 June 2006 general temporary assistance for the functions provided by the 395 individual contractors, and requests the Secretary-General to fully justify any proposed conversion of these 395 individual contractors in the context of the results of the comprehensive review to be included in the proposed budget for 2006/07;

18. *Requests* the Secretary-General to ensure the full implementation of the relevant provisions of its resolution 59/296;

19. *Also requests* the Secretary-General to take all necessary action to ensure that the Mission is administered with a maximum of efficiency and economy;

20. *Further requests* the Secretary-General to ensure that the Mission effectively utilizes the available rail and inland waterway transport modes where they are more reliable and cost-effective than air transportation and safe to use;

21. *Requests* the Secretary-General, in order to reduce the cost of employing General Service staff, to continue efforts to recruit local staff for the Mission against General Service posts, commensurate with the requirements of the Mission;

Financial performance report for the period from 1 July 2003 to 30 June 2004

22. *Takes note* of the report of the Secretary-General on the financial performance of the Mission for the period from 1 July 2003 to 30 June 2004;[3]

Budget estimates for the period from 1 July 2005 to 30 June 2006

23. *Decides* to appropriate to the Special Account for the United Nations Organization Mission in the Democratic Republic of the Congo the amount of 1,133,672,200 dollars for the maintenance of the Mission for the period from 1 July 2005 to 30 June 2006, inclusive of the amount of 383,187,800 dollars previously

[3] A/59/657.

authorized by the General Assembly under the terms of its resolution 59/285 B for the period from 1 July to 31 October 2005, and in addition to the amount of 20,220,700 dollars already appropriated under the terms of the same resolution for the support account for peacekeeping operations and the United Nations Logistics Base for the period from 1 July 2005 to 30 June 2006;

Financing of the appropriation

24. *Decides also*, taking into account the amount of 350,000,000 dollars already apportioned under the terms of its resolution 59/285 B for the maintenance of the Mission for the period from 1 July to 31 October 2005, to apportion among Member States the additional amount of 783,672,200 dollars for the maintenance of the Mission for the period from 1 November 2005 to 30 June 2006, in accordance with the levels updated in General Assembly resolution 58/256 of 23 December 2003, and taking into account the scale of assessments for 2005 and 2006, as set out in its resolution 58/1 B of 23 December 2003;

25. *Decides further* that, in accordance with the provisions of its resolution 973 (X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraph 24 above, their respective share in the Tax Equalization Fund of the amount of 15,664,375 dollars, representing the estimated additional staff assessment income approved for the Mission for the period from 1 November 2005 to 30 June 2006;

26. *Decides* that, for Member States that have fulfilled their financial obligations to the Mission, there shall be set off against their apportionment, as provided for in paragraph 24 above, their respective share of the unencumbered balance and other income in the amount of 32,836,900 dollars in respect of the financial period ended 30 June 2004, in accordance with the levels updated in its resolution 58/256, and taking into account the scale of assessments for 2004, as set out in its resolution 58/1 B;

27. *Decides also* that, for Member States that have not fulfilled their financial obligations to the Mission, there shall be set off against their outstanding obligations their respective share of the unencumbered balance and other income in the amount of 32,836,900 dollars in respect of the financial period ended 30 June 2004, in accordance with the scheme set out in paragraph 26 above;

28. *Decides further* that the increase of 466,700 dollars in the estimated staff assessment income in respect of the financial period ended 30 June 2004 shall be added to the credits from the amount of 32,836,900 dollars referred to in paragraphs 26 and 27 above;

29. *Emphasizes* that no peacekeeping mission shall be financed by borrowing funds from other active peacekeeping missions;

30. *Encourages* the Secretary-General to continue to take additional measures to ensure the safety and security of all personnel under the auspices of the United Nations participating in the Mission, bearing in mind paragraphs 5 and 6 of Security Council resolution 1502 (2003) of 26 August 2003;

31. *Invites* voluntary contributions to the Mission in cash and in the form of services and supplies acceptable to the Secretary-General, to be administered, as

appropriate, in accordance with the procedure and practices established by the General Assembly;

3. *Decides* to keep under review during its sixtieth session the item entitled "Financing of the United Nations Organization Mission in the Democratic Republic of the Congo".

United Nations A/60/575

General Assembly

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Agenda item 135
Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

Second performance report of the International Tribunal for the Former Yugoslavia for the biennium 2004-2005

Report of the Secretary-General*

Summary

The second performance report of the International Tribunal for the Former Yugoslavia for the biennium 2004-2005 is submitted pursuant to General Assembly resolution 59/274 of 23 December 2004. The report reflects a net reduction of $21,962,900 in the overall resource requirement, as compared to the revised appropriation for the biennium 2004-2005. The overall reduction is attributable to the measures introduced in 2004 in response to the cash flow situation and the efficiencies of the lump sum system for defence counsel, which has yielded lower costs per detainee.

The General Assembly is requested to revise the appropriation to the Special Account for the International Tribunal for the Former Yugoslavia for the biennium 2004-2005 to $308,305,200 gross ($276,474,100 net).

* The report is being issued at the present time in order to reflect the latest data available following intensive consultations.

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I. Introduction

1. The General Assembly, by its resolution 59/274 of 23 December 2004, approved a revised appropriation for the biennium 2004-2005 in the amount of $329,317,900 gross ($298,437,000 net).

2. The activities of the International Tribunal for the Former Yugoslavia are predominantly trial-based and hence most of the requirements are linked to the pace of trial activities. In addition, the measures introduced in 2004 in response to the cash flow situation and the efficiencies of the lump sum system for defence counsel have resulted in overall reduced requirements for the biennium 2004-2005.

II. Explanation of the changes in net expenditure requirements

3. A net reduction in requirements of $21,962,900 is shown in tables 1 and 2 below. Table 1 reflects the changes by organ. Table 2 reflects the changes by object of expenditure.

Table 1
Summary of estimated final requirements by component and main determining factors
(Thousands of United States dollars)

		Projected changes				
Component	*Revised 2004-2005 appropriation*	*Rate of exchange*	*Inflation*	*Post incumbency and other changes*	*Total*	*Proposed 2004-2005 final appropriation*
Expenditure						
The Chambers	9 522.9	2 019.9	(0.6)	(232.5)	1 786.8	11 309.7
Office of the Prosecutor	96 188.2	1 317.9	(133.8)	(3 797.6)	(2 613.5)	93 574.7
Registry	223 790.8	3 495.0	(756.3)	(23 108.7)	(20 370.0)	203 420.8
Total expenditures (gross)	**329 501.9**	**6 832.8**	**(890.7)**	**(27 138.8)**	**(21 196.7)**	**308 305.2**
Income						
Staff assessment	30 880.9	175.6	28.5	513.6	717.7	31 598.6
Other income	184.0	—	—	48.5	48.5	232.5
Total requirements (net)	**298 437.0**	**6 657.2**	**(919.2)**	**(27 700.9)**	**(21 962.9)**	**276 474.1**

Table 2

Summary of projected expenditures by object of expenditure and main determining factors

(Thousands of United States dollars)

Object of expenditure	*Revised 2004-2005 appropriation*	*Projected changes*				*Proposed 2004-2005 final appropriation*
		Rate of exchange	*Inflation*	*Post incumbency and other changes*	*Total*	
Expenditure						
Posts	158 138.0	2 544.4	(884.7)	(1 528.5)	131.2	158 269.2
Other staff costs	28 229.7	475.2	(26.6)	(8 552.3)	(8 103.7)	20 126.0
Salaries and allowances of judges	9 328.4	2 019.1	(2.0)	(209.7)	1 807.4	11 135.8
Consultants and experts	713.3	12.3	(0.8)	(71.6)	(60.1)	653.2
Travel	8 551.9	—	80.3	(1 791.6)	(1 711.3)	6 840.6
Contractual services	58 408.9	989.1	(54.7)	(12 069.2)	(11 134.8)	47 274.1
General operating expenses	25 070.8	431.7	(23.1)	(2 941.5)	(2 532.9)	22 537.9
Hospitality	13.8	0.2	—	(0.2)	—	13.8
Supplies and materials	2 684.9	48.7	(2.2)	(525.9)	(479.4)	2 205.5
Furniture and equipment	6 820.5	128.8	(5.0)	(206.2)	(82.4)	6 738.1
Improvement of premises	452.0	7.7	(0.4)	251.0	258.3	710.3
Grants and contributions	208.8	—	—	(6.7)	(6.7)	202.1
Staff assessment	30 880.9	175.6	28.5	513.6	717.7	31 598.6
Total expenditures (gross)	**329 501.9**	**6 832.8**	**(890.7)**	**(27 138.8)**	**(21.196.7)**	**308 305.2**
Income						
Staff assessment	30 880.9	175.6	28.5	513.6	717.7	31 598.6
Other income	184.0	—	—	48.5	48.5	232.5
Total requirements (net)	**298 437.0**	**6 657.2**	**(919.2)**	**(27 700.9)**	**(21 962.9)**	**276 474.1**

A. Variations in budgetary assumptions

Rates of exchange and inflation (Increase: $5,738,000)

4. A net increase in the amount of $5,738,000 would be required to absorb the impact of changes in the exchange rates ($6,657,200), attributable mainly to the weakening of the dollar vis-à-vis the euro partly offset by reduced requirements for

inflation ($919,200). In the present report, in estimating the effect of exchange rate changes experienced in 2005, the realized exchange rates from January to November 2005, with the November rate applied to December, have been used. With regard to inflation, the adjustments are based on the latest information available on consumer price indices and adjustments resulting from differences in actual post adjustment indices for staff in the Professional category and above, and actual cost-of-living adjustments of salary scales for staff in the General Service and related categories compared with the assumptions made in the revised appropriations. Details of the budgetary assumptions used in arriving at the foregoing figures are outlined in annex I to the present report.

B. Other requirements

Chambers

Table 3
Projected expenditures by object of expenditure and main determining factors
(Thousands of United States dollars)

		Projected changes				
Object of expenditure	*Revised 2004-2005 appropriation*	*Rate of exchange*	*Inflation*	*Post incumbency and other changes*	*Total*	*Proposed 2004-2005 final appropriation*
Salaries and allowances of judges	9 328.4	2 019.1	(2.0)	(209.7)	1 807.4	11 135.8
Consultants and experts	41.3	0.8	(0.1)	(7.5)	(6.8)	34.5
Travel	153.2	—	1.5	(15.3)	(13.8)	139.4
Total requirements	**9 522.9**	**2 019.9**	**(0.6)**	**(232.5)**	**1 786.8**	**11 309.7**

Salaries and allowances of judges (Decrease: $209,700)

5. The reduced requirements relate to the lower requirements for common costs of judges, including travel on home leave, education allowance, pension benefits, relocation and installation costs ($441,600) partially offset by increased requirements for salaries of judges ($231,900). The increase under salaries of judges reflects the decision of the General Assembly in resolution 59/282 to increase the annual salary of the judges and ad litem judges of the Tribunals by 6.3 per cent effective 1 January 2005.

Consultants and experts (Decrease: $7,500)

6. The reduced requirement relates to lower than anticipated payments for travel and daily subsistence allowance for the services of three amici curiae.

Travel (Decrease: $15,300)

7. The reduced requirement is attributable to lower travel requirements of the President.

Office of the Prosecutor

Table 4
Projected expenditures by object of expenditure and main determining factors
(Thousands of United States dollars)

		Projected changes				
Object of expenditure	*Revised 2004-2005 appropriation*	*Rate of exchange*	*Inflation*	*Post incumbency and other changes*	*Total*	*Proposed 2004-2005 final appropriation*
Expenditure						
Posts	64 469.2	1 013.9	(192.2)	(213.3)	608.4	65 077.6
Other staff costs	14 716.6	247.8	(13.9)	(2 590.6)	(2 356.7)	12 359.9
Consultants and experts	416.1	7.1	(0.5)	(59.9)	(53.3)	362.8
Travel	3 792.4	—	32.9	(880.2)	(847.3)	2 945.1
Contractual services	135.1	2.3	(0.1)	(48.0)	(45.8)	89.3
Staff assessment	12 658.8	46.8	40.0	(5.6)	81.2	12 740.0
Total expenditures (gross)	**96 188.2**	**1 317.9**	**(133.8)**	**(3 797.6)**	**(2 613.5)**	**93 574.7**
Income						
Staff assessment	12 658.8	46.8	40.0	(5.6)	81.2	12 740.0
Total requirements (net)	**83 529.4**	**1 271.1**	**(173.8)**	**(3 792.0)**	**(2 694.7)**	**80 834.7**

Posts (Decrease: $213,300)

8. The overall decrease under the category of posts relates to reduced requirements for salary costs ($27,900) and common staff costs ($185,400), attributable to higher than budgeted vacancy rates for the biennium 2004-2005. The decrease in common staff costs is also partly due to the realized costs, which are lower than the budgeted rate.

9. The overall decrease in post requirements is also reflected in reduced requirements under staff assessment offset by an equal amount recorded under income from staff assessment.

Other staff costs (Decrease: $2,590,600)

10. The overall decrease is mainly comprised of reduced requirements under mission subsistence allowance ($556,900) and general temporary assistance ($2,033,700). Decreased requirement under mission subsistence allowance is attributable to the lower than anticipated number of personnel stationed in the field. Reduced requirements under general temporary assistance is attributable to the hiring freeze in place during most of 2004, owing to the financial situation of the Tribunals, which prevented the recruitment of staff against positions funded from such resources to provide support for activities related to trial work, document translation, and research and analysis of documentation.

Consultants and experts (Decrease: $59,900)

11. Reduced requirements under this heading are due to lower than anticipated requirements in the number of expert witnesses engaged by the Office of the Prosecutor both prior to trial and during the trial phase.

Travel (Decrease: $880,200)

12. The decrease in requirements is partly due to the reduction in the number of investigations missions and partly to more efficient management of travel resources in the Investigations Division. As a result of the completion of all pre-indictment investigations in December 2004, there were no more missions to support the preparation of indictments. Moreover, management of travel resources continued to improve. Senior management increased scrutiny and assessment of each mission, which led to less travel, shorter missions and increased reliance on personnel stationed in the field.

Contractual services (Decrease: $48,000)

13. The reduction reflects the actual requirements during the biennium for training.

Registry

Table 5

Projected expenditures by object of expenditure and main determining factors

(Thousands of United States dollars)

		Projected changes				
Object of expenditure	*Revised 2004-2005 appropriation*	*Rate of exchange*	*Inflation*	*Post incumbency and other changes*	*Total*	*Proposed 2004-2005 final appropriation*
Expenditure						
Posts	93 668.8	1 530.5	(692.5)	(1 315.2)	(477.2)	93 191.6
Other staff costs	13 513.1	227.4	(12.7)	(5 961.7)	(5 747.0)	7 766.1
Consultants and experts	255.9	4.4	(0.2)	(4.2)	—	255.9
Travel	4 606.3	—	45.9	(896.1)	(850.2)	3 756.1
Contractual services	58 273.8	986.8	(54.6)	(12 021.2)	(11 089.0)	47 184.8
General operating expenses	25 070.8	431.7	(23.1)	(2 941.5)	(2 532.9)	22 537.9
Hospitality	13.8	0.2	—	(0.2)	—	13.8
Supplies and materials	2 684.9	48.7	(2.2)	(525.9)	(479.4)	2 205.5
Furniture and equipment	6 820.5	128.8	(5.0)	(206.2)	(82.4)	6 738.1
Improvement of premises	452.0	7.7	(0.4)	251.0	258.3	710.3

Object of expenditure	Revised 2004-2005 appropriation	Projected changes: Rate of exchange	Projected changes: Inflation	Projected changes: Post incumbency and other changes	Projected changes: Total	Proposed 2004-2005 final appropriation
Grants and contributions	208.8	—	—	(6.7)	(6.7)	202.1
Staff assessment	18 222.1	128.8	(11.5)	519.2	636.5	18 858.6
Total expenditures (gross)	**223 790.8**	**3 495.0**	**(756.3)**	**(23 188.7)**	**(20 370.0)**	**203 420.8**
Income						
Staff assessment	18 222.1	128.8	(11.5)	519.2	636.5	18 858.6
Other income	184.0	—	—	48.5	48.5	232.5
Total requirements (net)	**205 384.7**	**3 366.2**	**(744.8)**	**(23 676.4)**	**(21 055.0)**	**184 329.7**

Posts (Decrease: $1,315,200)

14. The net decrease under this heading relates to reduced requirement for common staff costs ($3,572,400) partly offset by increase for salary costs ($2,257,200). The increase under salary costs is due to the lower-than-budgeted vacancy rates for the biennium 2004-2005. With respect to the reduced requirement under common staff costs, the realized costs reflect lower-than-budgeted common staff costs rate.

15. The overall increase in post requirements is also reflected in increased requirements under staff assessment offset by an equal amount recorded under income from staff assessment.

Other staff costs (Decrease: $5,961,700)

16. The net reduction is attributable to lower requirements under interpretation ($3,099,000), translation ($1,362,500), general temporary assistance ($1,011,200), overtime ($348,900) and mission subsistence allowance ($140,100). Reduced requirements under interpretation and translation are mainly attributable to lower than anticipated trial activity during the biennium, which resulted in lower requirements for temporary interpreters and translators in support of trials. A lower requirement under general temporary assistance is the result of the hiring freeze that was in place during most of 2004 and the low pace of trial activity. Reductions under overtime were achieved as a result of continuous and rigorous monitoring of requests for overtime, whereas savings under mission subsistence allowance are attributable to the lower than anticipated number of personnel stationed in the field.

Travel (Decrease: $896,100)

17. As a result of the lower than anticipated trial activity during the biennium 2004-2005, the number of witnesses and accompanying dependants expected to travel during the biennium is lower than that used in arriving at the 2004-2005 budget estimates.

Contractual services (Decrease: $12,021,200)

18. The overall reduction is composed of decreased requirements under the following: defence counsel ($9,795,900), attributable to the efficiencies of the lump sum system, which has yielded lower costs per detainee; verbatim reporting ($2,256,900), as a result of lower than anticipated trial activity; photo-visual materials ($245,300), owing to increasing reliance on the Office of the Prosecutor's Mapping and Photo Visual Unit capacity in lieu of outside sources; and other contractual services related to translation, external printing, data-processing services and other specialized services ($281,200). The reduction is partly offset by an increase in detention services ($558,100), attributable to the increase in overall costs following the move to a larger cell complex effective November 2005 and to higher cell rates during the biennium.

General operating expenses (Decrease: $2,941,500)

19. The reduction under this category relates to rental of premises ($624,500), rental of office equipment ($413,800), rental of vehicles ($75,900), communications ($922,800), maintenance of various equipments ($527,300) and other miscellaneous services ($377,200).

20. Decreased requirements under the category of rental of premises pertain to lower rental costs associated with the field offices and lower requirements under cleaning of premises. Due to renegotiation of the lease of photocopiers, reduced requirements have been realized under rental of office equipment. The decreased requirements in the rental of vehicles are attributable to strict controls implemented during the biennium for the utilization of car services to support the activities of the Transportation Unit. As a result of improved satellite communications and reduced field office communication charges, the Tribunal has realized substantial reductions under communications.

21. With respect to maintenance of equipment, the reduced requirements are mainly owing to lower maintenance costs for vehicles resulting from a reduction in the size of the vehicle fleet and lower usage of vehicles in the field as a result of the reduced number of investigation missions, and lower requirements for maintenance of communication and data-processing equipment. Reduction in miscellaneous services pertains to lower than anticipated requirements for insurance, bank charges and freight.

Supplies and materials (Decrease: $525,900)

22. The lower requirements are attributable to extensive use of digital archiving of documents, lower consumption of paper, lower than forecast costs for pass/ID consumables, lower consumption of spare parts and toner related to communications equipment, and decrease in vehicle usage as a result of the reduction in field missions to field locations, leading to lower consumption of gasoline.

Furniture and equipment (Decrease: $206,200)

23. The lower requirements reflect the postponement of the scheduled upgrading of certain software packages owing to the decision to defer the acquisition of goods and services in response to the cash flow situation facing the Tribunals and the

reduced requirement for communications equipment such as UHF two-way radio equipment and telephone sets.

Improvement of premises (Increase: $251,000)

24. The increase relates to the extensive remodeling of the existing three courtrooms, which will be required to accommodate the multiple accused cases scheduled for early December 2005.

III. Action to be taken by the General Assembly

25. **The General Assembly is requested to take note of the present report and revise the appropriation to the Special Account for the International Criminal Tribunal for the Former Yugoslavia for the biennium 2004-2005 to $308,305,200 gross ($276,474,100 net).**

Annex I

Budgetary assumptions

The following parameters were used in formulating the present proposed estimates for the final appropriation:

Budget parameters	*Estimates used for the revised appropriation*		*Proposed estimates for the final appropriation*	
	2004	*2005*	*2004*	*2005*
Rate of exchange (US$ 1: €)	0.82	0.82	0.81	0.80
Rate of inflation (percentage)	1.4	1.5	1.2	1.6
Post adjustment multiplier at The Hague (percentage)	44.3	45.0	45.4	46.3

Annex II

Trial activity during the biennium 2004-2005

1. For an extended period commencing 25 February 2004, when the prosecution finished its case, the Milošević case did not sit for a variety of reasons: the Chamber initially needed time to consider and rule on the 98 bis motion for acquittal, decided in mid-June 2004; the accused, who is representing himself, needed some time to organize his defence case for presentation; and significant health concerns on the part of the accused prevented the defence portion of the trial from commencing in June 2004, as originally scheduled. The Chamber imposed counsel on the accused in August 2004 in an effort to keep the case moving notwithstanding the ongoing health concerns. However, the accused did not cooperate with the imposed counsel and the case could not continue for lack of witnesses. The imposition of counsel was appealed and ultimately reversed in part by the Appeals Chamber. As a result, although there were a few weeks when the case sat with the imposed counsel acting on behalf of the accused, the defence did not begin in earnest until November 2004, on a three-day-a-week schedule that had been adopted to mitigate strain on the health of the accused. The case has continued, essentially without interruption, since November 2004 on that schedule.

2. The Brdanin case closed on 24 February 2004 and the judges, after a site visit to the crime scenes in the former Yugoslavia in March, and final arguments in April, were occupied with judgement writing until September 2004.

3. The Krajišnik case commenced in February 2004, despite concerns that the newly appointed defence team was having difficulty getting fully prepared for trial. Rather than start the case on a part-time basis, it was agreed that the case would sit full-time for the first four weeks, and then adjourn for six weeks before resuming to allow time for the defence to further prepare. After two weeks of trial, the Chamber granted another month of adjournment, comprising May 2004, to accommodate defence preparation needs, and another adjournment, comprising most of July 2004, for procedural reasons. The case was interrupted for the months of January and February 2005 because of the withdrawal of one of the judges, and the need for the newly appointed judge to review the entire record. It was further adjourned for two weeks in August 2005, while the Chamber considered the defence's 98 bis motion for acquittal, and then recessed for most of September at the request of the defence, on the understanding that that interruption would not delay the scheduled conclusion of the case; i.e., that the delay would simply come out of the time allotted to the defence to present its case. This trial will conclude in early spring 2006, with a judgement by the end of April 2006.

4. The Blagojević/Jokić case adjourned for six weeks, March to mid-April 2004, while the defence submitted and the Chamber considered and ruled on the 98 bis motion for acquittal; the case concluded in late July 2004, and the Trial Chamber was engaged with writing the judgement until January 2005.

5. The Strugar case adjourned for five weeks, in May and June 2004, while the defence submitted and the Chamber considered the 98 bis motion for acquittal. The case concluded with closing arguments in September 2004, and the Trial Chamber was engaged with writing the judgement until it commenced the Limaj case in November 2004. This Chamber was able to start Limaj while finishing the Strugar

judgement, delaying the judgement somewhat until the end of January 2005, but allowing the new case to start that much sooner.

6. The Hadžihasanović/Kubura case adjourned from late September until mid-October 2004, after the close of the prosecution case, while the defence submitted and the Chamber considered and ruled on the 98 bis motion for acquittal; trial concluded in May 2005, and after closing arguments in July, the Chamber was involved in judgement writing, expected to last until the end of 2005.

7. The Halilović case, which began in February 2005, was interrupted for almost two weeks in May 2005, while the judges of that Chamber heard a contempt case, and concluded in mid-July 2005; and after closing arguments in August, the Chamber was involved in judgement writing, expected to last until the end of 2005.

8. The Orić case, which started in October 2004, was interrupted for two weeks in November 2004 due to the absence of judges; the case adjourned for three weeks in June 2005, while the Chamber considered and ruled on the defence's 98 bis motion for acquittal; and for two weeks in September 2005 owing to the unavailability of witnesses.

9. The Limaj case adjourned for three weeks in June 2005, while awaiting the delayed testimony of an expert witness and for the preparation of final briefs; trial concluded with closing arguments in August 2005, and the Trial Chamber was engaged with writing the judgement until it commenced the Mrkšić case in October 2005; this Chamber was able to start Mrkšić while still finishing the Limaj judgement, delaying the judgement somewhat, but allowing the new case to start that much sooner.

10. Finally, the preparation of judgements in connection with cases scheduled for completion during the biennium required considerable work outside of the courtrooms.

11. There was no trial activity for three weeks in August 2004 or for a similar period in 2005 because the court was in recess. The Tribunal was also in recess for three weeks, from late December 2004 to early January 2005, and a similar recess is anticipated at the end of 2005.

Annex III

Voluntary contributions and trust fund activities

1. The General Assembly, in its resolutions 49/242 B of 20 July 1995 and 53/212 of 18 December 1998, invited Member States and other interested parties to make voluntary contributions to the International Tribunal for the Former Yugoslavia that were acceptable to the Secretary-General. As at 31 October 2005, cash donations of approximately $42 million had been received for the Voluntary Fund to support the activities of the Tribunal. Furthermore, pledges amounting to $816,600 have been received. For the period from 1 January 2004 to 31 October 2005, the Tribunal received $1,856,400 in voluntary cash contributions.

2. Voluntary contributions have been utilized for activities related to supporting the Tribunal's prosecution and investigation activities, such as the arrest initiative, investigations in Macedonia, prosecution support and the review of cases through the "Rules of the road" project. Contributions have also assisted the Registry through support of victims and witnesses, the Outreach Programme, continued development of the Tribunal's library and support to inter-Tribunal cooperation activities. The status of voluntary cash contributions and cash pledges to support the activities of the Tribunal, as at 31 October 2005, is as follows:

Cash contributions to the Voluntary Fund, by contributor, as at 31 October 2005

(Thousands of United States dollars)

Contributions from inception to 31 December 2003	40 255.7
Contributions from 1 January 2004 to 31 October 2005	
Canada	186.3
European Commission	1 108.2
Germany	24.9
Netherlands	12.5
City of Rotterdam	2.4
Switzerland	453.7
United Kingdom of Great Britain and Northern Ireland	91.7
Refunds	(23.3)
Subtotal	1 856.4
Total	**42 112.1**

Cash pledges to the Voluntary Fund, by contributor, as at 31 October 2005

(Thousands of United States dollars)

European Commission	Balance (2001 grant)	110.7
European Commission	Balance (2004 grant)	203.6
European Commission	New grant (2005)	500.0
German Bar Association	Library	2.3
Total		**816.6**

Projected expenditures by object of expenditure

(Thousands of United States dollars)

	2004-2005 estimates	*Revised 2004-2005 estimates*	*Increase/ (decrease)*
Temporary posts	1 480.0	1 526.6	46.6
Other staff costs	4 000.4	3 953.8	(46.6)
Consultants and experts	6.2	16.1	9.9
Travel	415.0	590.1	175.1
Contractual services	44.5	50.4	5.9
General operating expenses	17.8	47.8	30.0
Supplies and materials	57.5	37.7	(19.8)
Furniture and equipment	9.0	34.2	25.2
Total	**6 030.4**	**6 256.7**	**226.3**

3. The increase in the revised requirements relates to higher than forecasted voluntary contributions in support of extrabudgetary activities, mainly in relation to International Tribunal for the Former Yugoslavia-International Criminal Tribunal for Rwanda inter-Tribunal cooperation, including the Special Court for Sierra Leone.

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Sixtieth session
Agenda items 18, 33, 46, 49, 50, 54 (a), 56, 57 (b), 108, 110 and 120

Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba

Questions relating to information

Integrated and coordinated implementation of and follow-up to the outcomes of the major United Nations conferences and summits in the economic, social and related fields

Information and communication technologies for development

Macroeconomic policy questions

Globalization and interdependence: globalization and interdependence

Eradication of poverty and other development issues

Operational activities for development: South-South cooperation: economic and technical cooperation among developing countries

Measures to eliminate international terrorism

Report of the Secretary-General on the work of the Organization

Follow-up to the outcome of the Millennium Summit

Letter dated 30 November 2005 from the Permanent Representative of Malaysia to the United Nations addressed to the Secretary-General

I have the honour, in my capacity as Chairman of the Coordinating Bureau of the Non-Aligned Movement, to transmit herewith the text of the "Kuala Lumpur Declaration on the Non-Aligned Movement Information and Communication Collaboration" (see annex), which was adopted by the Sixth Conference of Ministers of Information of Non-Aligned Countries, held in Kuala Lumpur from 19 to 22 November 2005.

05-62691 (E) 061205

I should be grateful if you would have the present letter and its annex circulated as a document of the sixtieth session of the General Assembly under agenda items 18, 33, 46, 49, 50, 54 (a), 56, 57 (b), 108, 110 and 120.

(*Signed*) Hamidon **Ali**
Ambassador
Permanent Representative and Chairman of the
Coordinating Bureau of the Non-Aligned Movement

Annex to the letter dated 30 November 2005 from the Permanent Representative of Malaysia to the United Nations addressed to the Secretary-General

Kuala Lumpur Declaration on the Non-Aligned Movement Information and Communication Collaboration

INTRODUCTION

1. The Ministers of Information of the Non-Aligned Countries convened their Sixth Conference in Kuala Lumpur, Malaysia, from 19 to 22 November 2005 on the theme "Advancing Information And Communication Collaboration Towards A More Dynamic NAM."

2. The Conference was held after a lapse of nine years following the Fifth Conference of Ministers of Information of the Non-Aligned Countries (COMINAC-V) in Abuja, Nigeria from 3 to 6 September 1996, and in pursuance of a call for its convening by the Twelfth Ministerial Conference of the Non-Aligned Countries on 8 and 9 April 2000 in Cartagena, Colombia.

OVERVIEW OF GLOBAL TRENDS AND DEVELOPMENTS IN INFORMATION AND COMMUNICATION

3. The Ministers reviewed the global trends and developments in information and communication and noted that the dissemination of discriminatory and distorted information of events taking place in developing countries continues unabated.

4. Noting that the continued situation of lopsided information places the vast majority of mankind at a disadvantage, the Ministers reaffirmed the need for urgent redress of the imbalances.

5. The Ministers called for the acceleration of the pace of advancement and consolidation of collaboration among Non-Aligned and other developing countries in information and communication processes.

6. The Ministers noted that decreasing costs of communications and easy access to Internet services now afforded Member Countries an unprecedented opportunity to increase information linkages among them. Therefore, the Ministers urged all Member Countries to take advantage of the advancement of information and communication technology (ICT) to forge these links.

7. The Ministers, however, acknowledged that to fully harness ICT in developing countries, it is imperative to eradicate poverty, illiteracy and exclusion that prevent developing countries from joining the Information Society.

8. The Ministers are against the imposition of unilateral and coercive measures on developing countries, considering that those measures violate international laws and prevent the full access of the affected countries to the advancement of the ICT, undermine their efforts

to develop their information and communication networks and impede the full achievement of economic and social development for their peoples.

9. The Ministers assessed the performance of Member Countries in the field of information and communication during the last nine years and noted their continuing and increasing efforts to bring about balanced and free flow of information.

10. The Ministers acknowledged the increased efforts being made by some Member Countries and other developing nations to develop their information and communication networks.

11. The Ministers reiterated their call for greater investments in the relevant ICT according to the specific situation and capacity of each country in efforts to move forward the interests of the respective countries as well as the interests of the Member Countries as a whole.

ANOTHER LOOK AT THE NEW WORLD INFORMATION AND COMMUNICATION ORDER (NWICO)

12. The Ministers regretted the continued imbalances and inequalities in the field of international information and communication. They highlighted the serious implications which the negative situation portends for member countries and advocated effective strategies for confronting the challenge.

13. The Ministers observed that the long history of the struggle for a New World Information and Communication Order (NWICO) notwithstanding, the salient objectives are yet to be realised.

14. The Ministers reaffirmed the need to continue working for a NWICO which would guarantee greater impartiality and balance of information in order to improve the information and communication infrastructure and the development of capacities in developing countries.

15. The Ministers expressed concern that developing nations are still impoverished, not only materially and economically, but in terms of equitable endowments and opportunities in the field of global information and communication.

16. The Ministers noted that although the objectives of the NWICO have yet to be fully realised, some Member Countries have, individually, made significant strides towards attaining a balanced flow of two-way information among themselves and with non-Member Countries.

17. The Ministers stressed that self-reliance and South-South cooperation should be intensified to attain a higher level of activities to strengthen the information and communication infrastructure both at national and grouping level. In this context, the Ministers proposed that the more developed Member Countries extend assistance and share their experience and expertise with the others.

18. The Ministers agreed to reduce dependence on information from industrialised nations on Member Countries by initiating and supporting co-operative activities that will augment

the new order, through fresh and dynamic approaches to programming, content and networking in the media systems of Member Countries and other developing countries.

19. The Ministers noted the effects of an unjust global economic system which severely impede the ability of Member Countries to realise their optimum potentials for economic growth and development. They noted the adverse implications of the economic constraint in seeking to evolve more effective strategies for developing efficient and independent information networks that will facilitate the preservation and promotion of national interests

20. The Ministers recognised that the existing imbalances in the information system result in adverse effects on the global economic system and thereby impede the ability of Member Countries to realise their optimum potentials for economic growth and development. The Ministers therefore urged all Member Countries to take practical steps in ensuring that ICT should be utilised to develop economies and societies of developing countries and transforming the lives of socially and economically disadvantaged people.

21. The Ministers declared that the imbalances and inequalities found in global trade and the debt burden still constitute monumental hindrances to genuine social, economic and political progress in developing nations of the world. Accordingly, together with reaffirming their own commitment towards achieving economic and social progress, they called for urgent and sustained international action to create the necessary conditions for each nation to realise their own potential and ensure genuine global peaceful co-existence.

22. The Ministers called for increased investments in human capital and material resources in the area of information and communication and noted that some Member Countries are moving in that direction.

23. The Ministers emphasised the need for training in ICT to produce practitioners to raise the overall standard and quality of the sector to facilitate information dissemination and communication to meet the ever growing challenges emerging in a globalised world. They stressed the importance of effective measures to prevent the brain-drain of those personnel which has a negative impact on the strategies to develop and improve the human resource of developing countries.

24. The Ministers proposed that training programmes be organised, both at institutions of higher learning and by professional journalism institutes, to upgrade the skills of journalists in the coverage of common themes such as global disasters and terrorism, as well as promoting tourist destinations in the Member Countries.

25. The Ministers also urged these institutions of higher learning and professional journalism institutes, to realise the importance of their contribution towards development and to continue to upgrade the skills of media practitioners so that their reports contribute to the development of their countries.

26. The Ministers emphasised the need for information and communication strategies to be rooted in historical and cultural processes, and urged that the views, models and perspectives of the media of developed countries should respect those of the developing countries to ensure the continuing dialogue between civilisations.

27. Expressing concern about the orchestrated smear campaigns which developing nations have suffered from biased and distorted Western media reports, the Ministers re-emphasised the need for sustained efforts by the mechanisms charged with the dissemination of news and information among and about Member Countries to counter this threat.

28. The Ministers opposed the use of the media as a tool for hostile propaganda against developing countries which are aimed at destabilising their Governments. They called for an immediate cessation of the radio electronic aggression against NAM Member Countries as it is an action contrary to the principles of international law. They reaffirmed that the radio electronic frequencies spectrum must be secured in favour of public interest and in accordance with the principle of legality.

29. The Ministers agreed that NAM should initiate steps for establishing international norms, ethics and/or code of conduct for the media.

30. The Ministers reiterated their profound condemnation of all acts of terrorism and appreciated the profound role of media in supporting the international efforts to combat terrorism. They regretted the continued tendency of the western media in stereotyping and profiling perpetrators of terrorist acts as Muslims.

31. The Ministers agreed that the continuing struggle for the NWICO should be intensified since the challenges and realities which formed the call for a NWICO are still prevalent in the world order.

BROADCASTING ORGANISATION OF NON-ALIGNED COUNTRIES (BONAC)

32. The Ministers agreed that renewed efforts be taken to revitalise the Broadcasting Organisation of Non-Aligned Countries (BONAC) in order for it to play its rightful role in disseminating information via radio and television among Member Countries and the world at large.

33. Towards this end, the Ministers urged all Member Countries to cooperate in the consolidation of the organisation by mapping out common strategies that would create a conducive environment to operate in a more effective manner.

34. The Ministers reaffirmed their belief in BONAC as an effective medium for transmitting factual news of events of the developing countries to the world. Accordingly, they acknowledged the need to re-position and re-vitalise BONAC in order to enable it to attain its primary goals and objectives.

35. The Ministers stressed that BONAC must not be allowed to experience any impediment and advised the BONAC Co-operation Committee and Technical Committee to endeavour to work harder and avail Member Countries with effective operational and technical strategies to enhance their functions.

36. The Ministers acknowledged the role of private broadcasting in modern public information and communication processes and agreed that private practitioners should be encouraged to complement the efforts of government agencies.

37. The Ministers, nevertheless, reaffirmed the importance of and the vital role played by public broadcasters, both radio and television, in developing countries and agreed that steps be taken to further develop public broadcasting.

38. The Ministers, noting the rapid advances in broadcasting technology, especially digitalisation, resolved to work together to face all the challenges ahead.

NON-ALIGNED NEWS AGENCIES POOL (NANAP)

39. The Ministers expressed their thanks and gratitude to the Islamic Republic of Iran and its national news agency IRNA for their relentless efforts to develop and nurture the Non-Aligned News Agencies Pool (NANAP) during their tenure as Chairman of the Pool. The Ministers noted that despite IRNA's untiring efforts to make NANAP a success, it has for many years been inactive due to declining support from Member Countries.

40. In furtherance of the common ideals of NAM, the Ministers agreed that NANAP should be revitalised through a new workable mechanism, if necessary in a new form, to move forward.

41. The Ministers welcomed Malaysia's proposal to replace the pool with a new mechanism, to be called NAM News Network (NNN), to effect a more sustained and efficient flow of news and information among Non-Aligned and other developing countries.

42. The Ministers thanked Malaysia for its generous offer to host the NNN and underwrite its start-up cost and mandated that a committee of member countries work with Malaysia to formulate operational guidelines for the establishment of NNN.

43. The Ministers acknowledged the need for a concerted effort by Member Countries to expand their information dissemination capacity to boost the development process of member countries.

44. The Ministers agreed that progress of the NNN be reported to COMINAC.

VOTE OF THANKS

The Ministers commended and thanked the Government and the people of Malaysia for the excellent organisation of COMINAC-VI and the warm hospitality accorded them during their stay in the beautiful city of Kuala Lumpur.

Kuala Lumpur, Malaysia
22 November 2005

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Consequences of the Iraqi occupation of and aggression against Kuwait

Security Council
Sixtieth year

Letter dated 2 December 2005 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a letter dated 2 December 2005, addressed to you by Abdullah Gül, Deputy Prime Minister and Minister of Foreign Affairs of the Republic of Turkey (see annex).

I would be grateful if the text of the present letter and its annex could be circulated as a document of the General Assembly, under agenda item 24, and of the Security Council.

(*Signed*) Baki **İlkin**
Ambassador
Permanent Representative

05-62748 (E) 051205

Annex to the letter dated 2 December 2005 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

The constitutional referendum concluded, Iraq is nearing yet another crucial phase of its political transition. With the general elections in sight, I thought it might be useful to share some observations with Your Excellency.

I agree with your view that "the people of Iraq have braved difficult conditions and the threat of violence to exercise their right to vote", and that "the referendum has been an important opportunity for the Iraqi people to express their political choices".

The compromise reached shortly before the referendum opened the possibility for further improvement of the new Constitution after the elections. This has been a welcome move on the part of the political leadership of Iraq that provided additional time and room for the new Iraqi Parliament that will emerge from the 15 December elections to tackle this vital issue.

I believe the current situation calls from closer cooperation within the international community. Turkey remains firmly committed to preservation of Iraq's unity and territorial integrity through a peaceful, democratic and stable Government.

The United Nations, through the leadership of Your Excellency and your Special Representative, has been able to guide the process towards democratic governance in Iraq until now with limited capabilities and under most difficult circumstances.

United Nations involvement in the period ahead will become even more important. The 15 December elections can be the turning point in legitimizing the political transformation in the minds of each and every segment of Iraqi society, if prepared and conducted successfully.

As you have rightly said, the willingness of the United Nations to work in partnership with the Government to assist the Iraqi people in whatever way possible remains a key element for the success of the process. This, we believe, requires a more robust and extensive United Nations presence in all phases of the forthcoming elections, including the effective monitoring of the entire process. This expected United Nations effort surely needs to be supported by the United Nations members and other international organizations, which we are simultaneously calling for. The international community must do everything within its power to avoid the recurrence of the manipulations and irregularities which marred the previous two ballotings in Iraq this year and to help ensure that, at long last, nobody will feel disenfranchised from the process.

Kirkuk remains a divisive issue which has the potential to turn into a serious source of instability and conflict. The future parliament of Iraq will have to address this sensitive issue. We believe United Nations involvement in the last phase of the Iraqi political transition needs to include Kirkuk. The establishment of a United Nations office in that city would be extremely useful.

The ability of the United Nations to deliver on these expectations will bestow on the emerging constitutional statehood in Iraq the direly needed legitimacy which, over time, will also help end violence.

(*Signed*) Abdullah **Gül**

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General Assembly
Sixtieth session
Agenda items 17, 96, 97, 108, 118 and 120

The situation in Afghanistan and its implications for international peace and security

Prevention of an arms race in outer space

General and complete disarmament

Measures to eliminate international terrorism

United Nations reform: measures and proposals

Follow-up to the outcome of the Millennium Summit

Security Council
Sixtieth year

Letter dated 2 December 2005 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

I have the honour to transmit the text of the Declaration of the Ministers for Foreign Affairs of the member States of the Collective Security Treaty Organization (CSTO), adopted in Moscow on 30 November 2005 at the meeting of the Council of CSTO Ministers for Foreign Affairs, on the Outcome of the United Nations World Summit held in New York in September 2005 (see annex).

I should be grateful if this letter and its annex could be circulated as a document of the Security Council and of the General Assembly under agenda items 17, 96, 97, 108, 118 and 120 of the sixtieth session.

(*Signed*) Andrey **Denisov**

05-62767 (E) 071205 071205

Annex to the letter dated 2 December 2005 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

Declaration on the 2005 World Summit Outcome by the Ministers for Foreign Affairs of the member States of the Collective Security Treaty Organization

The member States of the Collective Security Treaty Organization (CSTO) reaffirm their commitment to the ideals of the United Nations, which over six decades has established its position as an all-embracing and universal international organization.

The constructive proposals put forward at the World Summit in September this year constitute a positive foundation for continuing the process of United Nations reform on the basis of the widest possible agreement, taking due account of the interests of Member States.

We consider that reform of United Nations structures and mechanisms should enhance the effectiveness of the Organization's work, especially in such priority areas as peacemaking and peacekeeping throughout the world, non-proliferation of weapons of mass destruction, efforts to combat terrorism, xenophobia and religious extremism, illicit trafficking in narcotic drugs and psychotropic substances and their precursors, organized crime, illegal migration and trafficking in persons.

The Summit emphasized that international terrorism must be opposed by the entire world community, with the United Nations playing an active coordinating role. An important step was taken with the adoption of Security Council resolution 1624 (2005), which stated that not only terrorists themselves, together with those supporting and funding them, acted outside the law, but also the instigators of terrorist acts. We attach great significance to the entry into force as soon as possible of the International Convention for the Suppression of Acts of Nuclear Terrorism and the achievement of final agreement on the draft comprehensive convention on international terrorism and call on States Members of the United Nations that have not yet done so to sign the international legal instruments adopted by the United Nations relating to the fight against terrorism. We welcome the efforts of the United Nations Security Council Counter-Terrorism Committee to set up a system providing assistance in the fight against terrorism and affirm the willingness of our States to cooperate with the Committee in every way in the global struggle against terrorism that it is coordinating.

We consider that, in view of the serious situation caused by the sharp increase in drug trafficking worldwide, there is an increasingly urgent need to establish, under United Nations auspices, an effective global anti-drug partnership, which should make every effort to set up security zones along the Afghan border. The CSTO member States intend to participate in such efforts, in accordance with the Plan of measures for the coordination of the activities of CSTO member States to manage the post-conflict reconstruction of Afghanistan.

We support United Nations efforts to strengthen peacemaking potential and develop preventive diplomacy. Once again, we confirm the leadership and guiding role of the United Nations in questions of international peacemaking and the

maintenance of global peace. We welcome the proposed establishment of a peacebuilding commission as an intergovernmental advisory body to provide assistance and mobilize support for countries in a post-conflict situation.

Although disarmament and non-proliferation issues were not addressed in the Outcome owing to differences in approach among United Nations Member States, we note that statements were made at the 2005 Summit urging that the disarmament and non-proliferation regimes should be strengthened and calling on States to become party to the Treaty on the Non-Proliferation of Nuclear Weapons, the Convention on the Prohibition of the Development, Production and Stockpiling and Use of Chemical Weapons and on Their Destruction and the Convention on the Prohibition on the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction and to maintain the moratorium on nuclear weapons testing pending the entry into force of the Comprehensive Nuclear-Test-Ban Treaty. The CSTO member States are in favour of prohibiting the development and manufacture of new types and systems of weapons of mass destruction and their delivery systems. We are in favour of prohibiting the deployment of weapons in space, on the basis of the relevant international, legally binding agreements, and we support the development of measures to ensure transparency and greater trust in space activities.

We must strengthen international cooperation to deal with the consequences of natural disasters and to improve capacity for the prevention of natural and man-made disasters.

We consider it advisable to promote various forms of closer cooperation between the United Nations and regional organizations, including regular involvement of such organizations in the work of the Security Council and other United Nations bodies, including the peacebuilding commission currently in the process of formation. We support the creation of a standing committee to coordinate activities by the United Nations and regional organizations aimed at solving the most serious international problems.

We are convinced that implementation of the Summit Outcome will serve to strengthen global and regional stability and security. The CSTO member States will, for their part, work hard to attain that goal.

Moscow, 30 November 2005

United Nations A/60/579–S/2005/755

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Security Council

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General Assembly
Sixtieth session
Agenda item 14
The situation in the Middle East

Security Council
Sixtieth year

Identical letters dated 5 December 2005 from the Chargé d'affaires a.i. of the Permanent Mission of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

On instructions from my Government, I transmit to you herewith a detailed statistical table showing the number of Israeli violations of Lebanese sovereignty which occurred during November 2005, i.e., a total of 151 violations (see annex).

These violations are in contravention of the relevant Security Council resolutions, the latest of which is resolution 1614 (2005), and go against the Secretary-General's repeated calls for their cessation, most recently in his report S/2005/460 of 20 July 2005. Lebanon counts on the United Nations to compel Israel to desist from those violations, which constitute a threat to international peace and security, and holds Israel responsible for any consequences to which those acts may give rise.

I should be grateful if you would have this letter and its annex circulated as a document of the General Assembly under agenda item 14 and of the Security Council.

(*Signed*) Ibrahim **Assaf**
Chargé d'affaires a.i.

05-62837 (E) 061205 061205

Annex to the identical letters dated 5 December 2005 from the Chargé d'affaires a.i. of the Permanent Mission of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

Statistical table showing Israeli violations of Lebanese sovereignty during November 2005

Air violations				*Sea violations*	*Land violations*			*Total violations*
					Military acts of aggression	*Field violations*	*Breaches*	
Military jet	Reconnaissance	Helicopter	Total	Crossing of territorial waters, artillery fire and shooting of flares and firebombs over territorial waters	Air raids, artillery shelling, shelling of military positions and important posts, attacks on and killing of civilians	Gunfire, shooting of flares, dropping of artillery missiles, infiltration and crossing of international borders	Threats and displaying of weapons, bulldozing of soil, placing of barbed wire and setting up of installations inside Lebanese territory	—
31	29	09	69	25	19	18	10	151

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Security Council
Sixtieth year

The situation in the Middle East

Measures to eliminate international terrorism

Identical letters dated 5 December 2005 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General and the President of the Security Council

I am writing in order to draw your attention to a most recent attack perpetrated against the citizens of Israel — the continual firing of Kassam rocket and mortar shells.

On 3-4 December 2005, the terrorist organization al-Aqsa Martyrs Brigade assaulted Israel with Kassam artillery rocket and mortar shells, which landed in the town of Nativ Ha'asara in the southern Negev and resulted in damage to community property. Kassam rockets landed near the Israeli town of Sderot, in an avocado orchard in the western Negev and in another open field in the western Negev. It should be noted that the Kassam attacks come only one day after Israel took steps to ease travel and work permit restrictions in the West Bank and the Gaza Strip. In response to the latest Kassam attacks and in an act of self-defence, Israel opened fire at the sources of the rocket fire and launched a strike against an office in Gaza City that is used to coordinate terrorist activities.

Since Israel's disengagement from the Gaza Strip and parts of the West Bank in August 2005, Palestinian terrorists have fired more than 170 Kassam rocket and mortar shells at Israel.

What is particularly troubling with the latest attacks is that the terrorist organization that perpetrated them, al-Aqsa Martyrs Brigade, is affiliated with Palestinian Authority President Mahmoud Abbas's very own Fatah movement. The Palestinian Authority is obligated by the Road Map to dismantle terrorist organizations and eliminate the terrorist infrastructure. Yet as these terrorist attacks signify, the Palestinian Authority passively allows its cohorts to perpetrate acts of violence against Israel.

05-62819 (E) 051205

Excellency, only when the Palestinian Authority dismantles terrorist groups will peace become possible. Israel recognizes that this represents a difficult course of action. Yet it is only through such action that the parties to the conflict will be able to advance in the path of peace. Otherwise all international efforts, including those of the United Nations, will continue to be in vain.

I submit this letter in follow-up to numerous letters detailing the campaign of Palestinian terrorism launched in September 2000, which document the crimes for which the terrorists and their supporters must be held fully accountable.

I would be grateful if you would arrange to have the text of the present letter circulated as a document of the sixtieth session of the General Assembly, under agenda items 14 and 108.

(*Signed*) Dan **Gillerman**
Ambassador
Permanent Representative

United Nations A/60/581-S/2005/757

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General Assembly
Sixtieth session
Agenda items 14 and 108

Security Council
Sixtieth year

The situation in the Middle East

Measures to eliminate international terrorism

Identical letters dated 5 December 2005 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General and the President of the Security Council

I am writing to draw your urgent attention to yet another horrific terrorist attack perpetuated against Israel.

At least five people were murdered and more than 55 wounded when a 21-year old Palestinian terrorist associated with the Islamic Jihad terrorist organization detonated himself, at 11.30 a.m. this morning, in a crowded area outside of the Hasharon shopping mall in the city of Netanya.

Security personnel identified the bomber prior to the attack and prevented him from entering the mall and creating greater devastation. This is the second terrorist attack that the Islamic Jihad terrorist organization has perpetrated at this shopping mall in the last six months.

These heinous terrorist attacks are unacceptable for any two peoples in the pursuit of peace. Israel is dedicated to advancing the peace process, as demonstrated by our disengagement from the Gaza Strip and parts of the West Bank, as well as the Rafah border crossing agreement. Yet, we have not seen any similar commitment from the Palestinian leadership. Netanya illustrates that mere condemnations are not enough. The Palestinian Authority must show its resolve through action, not words.

The first phase in the Road Map calls for the dismantling of terrorist organizations and elimination of the terrorist infrastructure. Thus far, the Palestinian Authority has displayed passivity vis-à-vis terrorist organizations. It has failed to reign in these groups, despite its international obligations. It has failed to take any effective strategy to combat terrorism. These horrific attacks remain the largest obstacle to peace. The onus now lies on the Palestinians to act. They have the capability. Yet they must show the resolve.

05-62825 (E) 051205

Furthermore, Member States in the region continue to finance and host Islamic Jihad and other terrorist organizations in their territories. This conduct contradicts international law and severely endangers the stability of the region.

Excellency, Israel urges the international community to reaffirm, in clear and certain terms, its absolute intolerance of terrorism and the aiding and/or sheltering of terrorist organizations. Israel also urges the international community to require the Palestinian Authority to immediately combat Palestinian terrorism and fulfil its international obligations.

I should be grateful if you would arrange to have the text of the present letter circulated as a document of the sixtieth session of the General Assembly, under agenda items 14 and 108.

(*Signed*) Dan **Gillerman**
Ambassador
Permanent Representative